

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE: PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE
LITIGATION

THIS DOCUMENT RELATES TO ALL
ACTIONS.

MDL No. 1456

Master File No. 01-CV-12257-PBS

Judge Patti B. Saris
Magistrate Judge Marianne B. Bowler

PLAINTIFFS' MOTION FOR LEAVE TO FILE UNDER SEAL

Plaintiffs, by their attorneys, respectfully move this Court for leave to file Plaintiffs' Memorandum in Support of Their Motion To Compel Third-Party AmeriSource Bergen Corporation To Produce Deponent(s) Pursuant To Fed. R. Civ. P. 30(b)(6) and Fed. R. Civ. P. 45 under seal.

1. Pursuant to Paragraph 14 of the Protective Order (Dec. 13, 2002), the parties may designate documents "CONFIDENTIAL" or "HIGHLY CONFIDENTIAL."
2. Exhibits 2 and 16 are deposition testimony designated as HIGHLY CONFIDENTIAL. Plaintiffs' Memorandum cites testimony likewise designated as HIGHLY CONFIDENTIAL.

WHEREFORE plaintiffs respectfully request that this Court grant them leave to file the pleading herein, under seal, and all other relief that this Court deems just and proper.

Dated: January 18, 2006

Respectfully submitted,

By: /s/ Jennifer Fountain Connolly

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CERTIFICATE OF SERVICE BY LEXISNEXIS FILE & SERVE

Docket No. MDL 1456 (D. Mass.)

I, Jennifer Fountain Connolly, hereby certify that I am one of plaintiffs' attorneys and that, on January 18, 2006, I caused copies of *Plaintiffs' Motion for Leave to File Under Seal* to be served on:

Meredith Myers LeConey
Buchanan Ingersoll PC
1835 Market Street, 14th Floor
Philadelphia, PA 19103

by facsimile (w/out exhibits) and Federal Express; and on counsel of record by LexisNexis File & Serve.

/s/ Jennifer Fountain Connolly
Jennifer Fountain Connolly